

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File No.: EB-01-DV-388
)	
Sam Bushman)	NAL/Acct. No. 200232800003
Licensee, Station KNAK(AM))	
Delta, Utah)	FRN 0003-7785-45

FORFEITURE ORDER

Adopted: July 29, 2002

Released: August 1, 2002

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of seven thousand dollars (\$7,000) to Sam Bushman, licensee of Station KNAK(AM), Delta, Utah, for willful and repeated violation of Section 73.49 of the Commission’s Rules (“the Rules”).¹ The noted violation involves Mr. Bushman’s failure to provide an effective locked fence enclosure for the station’s antenna structure.

2. On May 17, 2002, the District Director of the Commission’s Denver, Colorado Field Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”)² in the amount of \$7,000 to Mr. Bushman. Mr. Bushman has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Communications Act of 1934, as amended, (“the Act”),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁴ Mr. Sam Bushman **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$7,000 for willfully and repeatedly violating Section 73.49 of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules⁵ within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁶ Payment shall be made by mailing a check or similar instrument, payable to the order of the “Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200232800003, and FRN 0003-

¹ 47 C.F.R. § 73.49.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200232800003 (Enf. Bur., Denver Field Office, released May 17, 2002).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 C.F.R. § 1.80.

⁶ 47 U.S.C. § 504(a).

7785-45. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁷

5. **IT IS FURTHER ORDERED THAT** this *Order* shall be sent by regular mail and by certified mail, return receipt requested, to Sam Bushman, P.O. Box 636, 315 East 300 South, Delta, Utah 84624.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁷ See 47 C.F.R. § 1.1914.